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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR 07-00362 JF
	)	
12 Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
13 v.	)	<b>SENTENCING DATE; [PROPOSED]</b>
	)	<b>ORDER</b>
14 JOAKELLE PORTER,	)	
	)	
15 Defendant.	)	
_____	)	

16 **STIPULATION**

17 Defendant and the government, through their respective counsel, hereby stipulate that,  
18 subject to the court's approval, the sentencing hearing date in the above-captioned matter,  
19 presently scheduled for Wednesday, November 28, 2007, at 9:00 a.m., be continued to  
20 Wednesday, December 05, 2007, at 9:00 a.m. The continuance is requested because defense  
21 counsel has become unavailable on November 28, 2007.  
22

23 Dated: 11/14/07

\_\_\_\_\_/s/  
NICHOLAS P. HUMY  
Assistant Federal Public Defender

25 Dated: 11/15/07

\_\_\_\_\_/s/  
TOM O'CONNELL  
Assistant United States Attorney

**ORDER**

The parties have jointly requested a continuance of the sentencing hearing set for November 28, 2007 due to the unavailability of defense counsel.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently set for November 28, 2007 be continued to Wednesday, December 05, 2007 at 9:00a.m.

Dated:

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JUDGE FOGEL  
United States District Judge